

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:) Case No. 20-41308-659
) Chapter 11
FORESIGHT ENERGY LP, *et al.*,)
) Jointly Administered
Debtors.)
) Related Docket No.: 19

SUPPLEMENTAL DECLARATION
OF RICHARD W. ENGEL, JR. IN SUPPORT OF
THE APPLICATION OF THE DEBTORS PURSUANT
TO SECTIONS 327(A) AND 329(A) OF THE BANKRUPTCY CODE,
BANKRUPTCY RULES 2014(A) AND 2016(B), AND LOCAL BANKRUPTCY
RULES 2014(A) AND 2016-1, FOR AN ORDER AUTHORIZING THE DEBTORS TO
RETAIN AND EMPLOY ARMSTRONG TEASDALE LLP AS CO- COUNSEL
EFFECTIVE NUNC PRO TUNC TO THE PETITION DATE

I, RICHARD W. ENGEL, JR., hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the following is true and correct to the best of my knowledge, information, and belief:

1. I am a partner of the law firm of Armstrong Teasdale LLP (“Armstrong Teasdale”) and am duly authorized to make this Declaration on behalf of Armstrong Teasdale.
2. I make this Supplemental Declaration in support of (i) the *Application of the Debtors Pursuant to Sections 327(a) and 329(a) of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016(b), and Local Bankruptcy Rules 2014(A) and 2016-1, for an Order Authorizing Debtors to Retain and Employ Armstrong Teasdale LLP as Co-Counsel, Effective Nunc Pro Tunc to the Petition Date* [Docket No. 19] (the “Application”)¹.

3. In accordance with its obligations under Bankruptcy Rules 2014(a) and 2016(a) and Local Bankruptcy Rules 2014(A) and 2016-1, Armstrong Teasdale has conducted, and

¹ Capitalized terms used but not otherwise defined herein shall have the respective meaning ascribed to them in the Application.

continues to conduct, an examination of its relationships with the above-captioned Debtors, their creditors, and other parties in interest in the Chapter 11 Cases.

4. The facts set forth in this Declaration are personally known to me and, if called as a witness, I could and would testify thereto.

BACKGROUND

5. On March 10, 2020, the debtors and debtors in possession in the chapter 11 cases jointly administered as *Foresight Energy LP, et al.*, Case No. 20-41308-659 (the “Debtors”) filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code.

6. On March 10, 2020, the Debtors filed the Application. In connection therewith, I submitted a declaration in support of the Application, which was attached to the Application as Exhibit B.

7. On March 16, 2020, the Court entered its Order [Docket No. 145] approving the Application on an interim basis.

SUPPLEMENTAL DISCLOSURE

8. Set forth on Schedule 1, attached hereto, is a supplemental list of additional Interested Parties that have been identified since the Application’s filing date and which were not previously included in Schedule 1 of the Application (the “Additional Searched Parties”).

9. Based on its review of the Additional Searched Parties, Armstrong Teasdale has determined that it does not currently represent, and within the past two years has not represented, any of the Additional Searched Parties.

10. To the best of my knowledge, information and belief, Armstrong Teasdale continues to be a “disinterested person” as that term is defined in Section 101(14) of the Bankruptcy Code, and it does not hold or represent an interest adverse to the Debtors’ estates with respect to the matters on which it is employed.

11. Should any additional information relevant to Armstrong Teasdale's retention and employment in these Chapter 11 cases come to Armstrong Teasdale's attention, Armstrong Teasdale will submit similar supplemental declarations.

[*Signature Page to Follow*]

Dated: April 1, 2020
St. Louis, Missouri

Respectfully submitted,

/s/ Richard W. Engel, Jr.
Richard W. Engel, Jr., MO 34641
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard, Suite 1800
St. Louis, MO 63105
Telephone: (314) 621-5070
Facsimile: (314) 612-2242
Email: rengel@armstrongteasdale.com

Counsel to the Debtors and Debtors in Possession

Schedule 1

Additional Searched Parties

Creditor Advisors

Sullivan & Worcester LLP
Thompson Coburn LLP
Buchanan Ingersoll & Rooney PC
Conway MacKenzie
Whiteford Taylor Preston LLP
Berkeley Research Group, LLC

Attorneys, Professionals and Financial Advisors (Including Accountants and Investment Banks)

Baker & Hostetler LLP
Blank Rome LLP

Surety Issuers

Indemnity National Insurance Co

Surety Obligees

EJ Water Company, LLC

Significant Taxing Authorities

Belmont County Treasurer
Benton High School
Benton Library District
Bond County
Rend Lake College

Parties to Significant Litigation

William Jackson
Joshua Elliott
Kenneth Grossman
Matthew Stubblefield
Vincent Moody

Insurers

Ascot Insurance Company
West of England
Safe Harbor Pollution
Atlantic Specialty

Top 50 Unsecured Creditors

Natural Resource Partners LLP
Dewind One Pass Trenching LLC
Irwin Mine And Tunneling Supply

Core & Main LP
Richwood Industries Inc
Midwestern Machine & Hydraulic Inc
Crown Products & Services Inc
K & E Technical Inc
Marmic Fire & Safety Co Inc
The Reschini Agency Inc
Strata Safety Products LLC
D & D Customized Electrical
Omni Sales and Service Inc
Date Mining Services LLC

Significant Customers

Gavin Power LLC
Tennessee Valley Authority
UCI, Inc.

Ordinary Course Professionals

Nelson Wood